

ENVIRONMENTAL QUALITY

CHAPTER 30

WATER QUALITY

Sub-Chapter 12

Montana Pollutant Discharge Elimination System
(MPDES) Standards

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Sub-Chapter 12

Montana Pollutant Discharge Elimination
System (MPDES) Standards

17.30.1201 PURPOSE AND SCOPE (1) The purpose of this subchapter is to establish effluent limitations, treatment standards, and other requirements for point sources discharging wastes into state waters. These requirements, together with the rules in subchapters 13 and 14, are adopted to discharge the responsibilities of the board and department under Title 75, chapter 5, parts 3 and 4, Montana Code Annotated, the Montana Water Quality Act, to adopt effluent standards and treatment requirements and to require compliance with such standards in permits issued to point sources discharging into state waters. These requirements are adopted in a manner the national pollutant discharge elimination system (NPDES) established and administered for the EPA under the federal Clean Water Act. (History: 75-5-304, MCA; IMP, 75-5-304, 75-5-401, MCA; NEW, 1989 MAR p. 2060, Eff. 12/8/89; TRANS, from DHES, 1996 MAR p. 1499.)

17.30.1202 DEFINITIONS For the purposes of this subchapter, the following definitions apply:

(1) "Board" means the Montana board of environmental review established by 2-15-3502, MCA.

(2) "Department" means the Montana department of environmental quality established by 2-15-3501, MCA.

(3) "EPA" means the United States environmental protection agency.

(4) "Federal Clean Water Act" means the federal legislation at 33 USC 1251, et seq.

(5) "MPDES" means the Montana pollutant discharge elimination system developed by the board of environmental review and the department of environmental quality for issuing permits for the discharge of pollutants from point sources into state waters. (History: 75-5-304, MCA; IMP, 75-5-304, 75-5-401, MCA; NEW, 1989 MAR p. 2060, Eff. 12/8/89; TRANS, from DHES, 1996 MAR p. 1499.)

17.30.1203 CRITERIA AND STANDARDS FOR MPDES (1) The board hereby adopts and incorporates herein by reference 40 CFR Part 125, which is a series of federal agency rules setting forth criteria and standards for the imposition of technology-based treatment requirements in MPDES permits. Copies of 40 CFR Part 125 may be obtained from the Department of Environmental Quality, PO Box 200901, Helena, MT 59620-0901.

(2) The criteria and standards incorporated and adopted herein may be incorporated in any MPDES permit, modification, or renewal thereof issued in accordance with ARM Title 17, chapter 30, subchapters 13 or 14. (History: 75-5-304, MCA; IMP, 75-5-304, 75-5-401, MCA; NEW, 1989 MAR p. 2060, Eff. 12/8/89; TRANS, from DHES, 1996 MAR p. 1499.)

Rules 17.30.1204 and 17.30.1205 reserved

17.30.1206 TOXIC POLLUTANT EFFLUENT STANDARDS (1) The board hereby adopts and incorporates herein by reference 40 CFR Part 129 which is a series of federal agency rules setting forth standards and prohibitions applicable to owners and operators of specified point source dischargers discharging into state waters. Copies of 40 CFR Part 129 may be obtained from the Department of Environmental Quality, PO Box 200901, Helena, MT 59620-0901.

(2) The toxic pollutant effluent standards and prohibitions incorporated and adopted herein may be incorporated in any MPDES permit, modification, or renewal thereof issued in accordance with ARM Title 17, chapter 30, subchapters 13 or 14. (History: 75-5-304, MCA; IMP, 75-5-304, 75-5-401, MCA; NEW, 1989 MAR p. 2060, Eff. 12/8/89; TRANS, from DHES, 1996 MAR p. 1499.)

17.30.1207 EFFLUENT LIMITATIONS AND STANDARDS OF PERFORMANCE (1) The board hereby adopts and incorporates herein by reference 40 CFR Subpart N (except 40 CFR Part 403), which is a series of federal agency rules setting forth effluent limitations for existing point source dischargers and standards of performance for new point source dischargers discharging into state waters. Copies of 40 CFR Subpart N (except 40 CFR Part 403) may be obtained from the Department of Environmental Quality, PO Box 200901, Helena, MT 59620-0901.

(2) The effluent limitations and standards of performance adopted and incorporated herein may be incorporated in any MPDES permit, modification, or renewal thereof issued in accordance with ARM Title 17, chapter 30, subchapters 13 or 14.

(3) 40 CFR Part 403, which is excluded from this incorporation by reference, sets forth general pretreatment requirements for new and existing sources of pollution. Montana pretreatment requirements appear in ARM Title 17, chapter 30, subchapter 14. (History: 75-5-304, MCA; IMP, 75-5-304, 75-5-401, MCA; NEW, 1989 MAR p. 2060, Eff. 12/8/89; TRANS, from DHES, 1996 MAR p. 1499.)

17.30.1208 HAZARDOUS SUBSTANCES (1) The board hereby adopts and incorporates herein by reference 40 CFR Part 116, which is a series of federal agency rules setting forth US EPA designations of hazardous substances under section 311(b)(2)(A) of the federal Clean Water Act. Copies of 40 CFR Part 116 may be obtained from the Department of Environmental Quality, PO Box 200901, Helena, MT 59620-0901.

(2) The hazardous substance designations incorporated and adopted herein may be applicable to and incorporated in any MPDES permit, modification, or renewal thereof issued in accordance with ARM Title 17, chapter 30, subchapters 13 or 14. (History: 75-5-304, MCA; IMP, 75-5-304, 75-5-401, MCA; NEW, 1989 MAR p. 2060, Eff. 12/8/89; TRANS, from DHES, 1996 MAR p. 1499.)

17.30.1209 SECONDARY TREATMENT (1) The board hereby adopts and incorporates by reference herein 40 CFR Part 133 which is a series of federal agency rules setting forth minimum treatment requirements for secondary treatment or the equivalent for publicly owned treatment works (POTW's) and for certain industrial categories. Copies of 40 CFR Part 133 may be obtained from the Department of Environmental Quality, PO Box 200901, Helena, MT 59620-0901.

(2) The minimum treatment requirements set forth in 40 CFR Part 133 may be incorporated into a wastewater discharge permit for a publicly owned treatment works. (History: 75-5-304, MCA; IMP, 75-5-304, 75-5-401, MCA; NEW, 1989 MAR p. 2060, Eff. 12/8/89; TRANS, from DHES, 1996 MAR p. 1499.)

